

111TH CONGRESS
2D SESSION

H. R. 4479

To enforce discretionary spending limits to rein in spending, reduce the deficit, and regain control of the Federal budget process.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 2010

Mr. FORBES introduced the following bill; which was referred to the
Committee on the Budget

A BILL

To enforce discretionary spending limits to rein in spending,
reduce the deficit, and regain control of the Federal
budget process.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tighten Washington’s
5 Belt Act of 2010”.

6 **SEC. 2. DEFINITIONS.**

7 As used in this Act:

8 (1) ACCOUNT.—The term “account” means—

1 (A) for discretionary budget authority, an
2 item for which appropriations are made in any
3 appropriation Act; and

4 (B) for items not provided for in appro-
5 priation Acts, direct spending and outlays
6 therefrom identified in the program and finance
7 schedules contained in the appendix to the
8 Budget of the United States for the current
9 year.

10 (2) BREACH.—The term “breach” means, for
11 any fiscal year, the amount by which discretionary
12 budget authority enacted for that year exceeds the
13 spending limit for budget authority for that year.

14 (3) BUDGET AUTHORITY; NEW BUDGET AU-
15 THORITY; AND OUTLAYS.—The terms “budget au-
16 thority”, “new budget authority”, and “outlays”
17 have the meanings given to such terms in section 3
18 of the Congressional Budget and Impoundment Con-
19 trol Act of 1974 (2 U.S.C. 622).

20 (4) BUDGET YEAR.—The term “budget year”
21 means, with respect to a session of Congress, the fis-
22 cal year of the Government that starts on October
23 1 of the calendar year in which that session begins.

24 (5) CBO.—The term “CBO” means the Direc-
25 tor of the Congressional Budget Office.

1 (6) CURRENT.—The term “current” means—

2 (A) with respect to the Office of Manage-
3 ment and Budget estimates included with a
4 budget submission under section 1105(a) of
5 title 31, United States Code, the estimates con-
6 sistent with the economic and technical assump-
7 tions underlying that budget;

8 (B) with respect to estimates made after
9 that budget submission that are not included
10 with it, the estimates consistent with the eco-
11 nomic and technical assumptions underlying the
12 most recently submitted President’s budget;
13 and

14 (C) with respect to the Congressional
15 Budget Office, estimates consistent with the
16 economic and technical assumptions as required
17 by section 202(e)(1) of the Congressional Budg-
18 et Act of 1974.

19 (7) CURRENT YEAR.—The term “current year”
20 means, with respect to a budget year, the fiscal year
21 that immediately precedes that budget year.

22 (8) DISCRETIONARY BUDGET AUTHORITY.—The
23 term “discretionary budget authority” means budg-
24 etary authority (except to fund mandatory pro-
25 grams) provided in appropriation Acts.

1 (9) DISCRETIONARY SPENDING LIMIT.—The
2 term “discretionary spending limit” shall mean the
3 amounts specified in section 6.

4 (10) OMB.—The term “OMB” means the Di-
5 rector of the Office of Management and Budget.

6 (11) SEQUESTRATION.—The term “sequestra-
7 tion” with respect to discretionary budget authority,
8 means the cancellation or reduction of budget au-
9 thority (except budget authority to fund mandatory
10 programs) provided in appropriation Acts.

11 **SEC. 3. ADMINISTRATION AND EFFECT OF SEQUESTRA-**
12 **TION.**

13 (a) PRESIDENTIAL ORDER.—

14 (1) IN GENERAL.—Fifteen days after the end of
15 session, OMB shall issue a discretionary sequestra-
16 tion report. If in its Sequestration Report, OMB es-
17 timates that any sequestration is required, the Presi-
18 dent shall issue an order fully implementing without
19 change all sequestrations required by the OMB cal-
20 culations set forth in that report. This order shall be
21 effective on issuance.

22 (2) CBO.—Ten days after the end of session,
23 CBO shall issue a discretionary sequestration report.

24 (3) SPECIAL RULE.—If the date specified for
25 the submission of a Presidential order under para-

1 graph (1) falls on a Sunday or legal holiday, such
2 order shall be issued on the following day.

3 (b) EFFECTS OF SEQUESTRATION.—The effects of
4 sequestration shall be as follows:

5 (1) Budgetary resources sequestered from any
6 account shall be permanently cancelled, except as
7 provided in paragraph (5).

8 (2) Except as otherwise provided, the same per-
9 centage sequestration shall apply to all programs,
10 projects, and activities within a budget account (with
11 programs, projects, and activities as delineated in
12 the appropriation Act or accompanying report for
13 the relevant fiscal year covering that account).

14 (3) Administrative regulations or similar ac-
15 tions implementing a sequestration shall be made
16 within 120 days of the sequestration order. To the
17 extent that formula allocations differ at different
18 levels of budgetary resources within an account, pro-
19 gram, project, or activity, the sequestration shall be
20 interpreted as producing a lower total appropriation,
21 with the remaining amount of the appropriation
22 being obligated in a manner consistent with program
23 allocation formulas in substantive law.

24 (4) Except as otherwise provided, obligations or
25 budgetary resources in sequestered accounts shall be

1 reduced only in the fiscal year in which a sequester
2 occurs.

3 (5) Budgetary resources sequestered in special
4 fund accounts and offsetting collections sequestered
5 in appropriation accounts shall not be available for
6 obligation during the fiscal year in which the seques-
7 tration occurs, but shall be available in subsequent
8 years to the extent otherwise provided in law.

9 (c) SUBMISSION AND AVAILABILITY OF REPORTS.—
10 Each report required by this section shall be submitted,
11 in the case of CBO, to the House of Representatives, the
12 Senate, and OMB and, in the case of OMB, to the House
13 of Representatives, the Senate, and the President on the
14 day it is issued. On the following day a notice of the report
15 shall be printed in the Federal Register.

16 **SEC. 4. GAO COMPLIANCE REPORT.**

17 Upon request of the Committee on the Budget of the
18 House of Representatives or the Senate, the Comptroller
19 General shall submit to the Congress and the President
20 a report on—

21 (1) the extent to which each order issued by the
22 President under this Act complies with all of the re-
23 quirements contained in this Act, either certifying
24 that the order fully and accurately complies with

1 such requirements or indicating the respects in
2 which it does not; and

3 (2) the extent to which each report issued by
4 OMB or CBO under this section complies with all of
5 the requirements contained in this Act, either certi-
6 fying that the report fully and accurately complies
7 with such requirements or indicating the respects in
8 which it does not.

9 **SEC. 5. DISCRETIONARY SEQUESTRATION REPORTS.**

10 (a) DISCRETIONARY SEQUESTRATION REPORTS.—

11 (1) REPORTING REQUIREMENTS.—On the dates
12 specified in section 3(a), OMB and CBO shall each
13 issue a Discretionary Sequestration Report, updated
14 to reflect laws enacted through those dates.

15 (2) DISCRETIONARY SPENDING.—The Discre-
16 tionary Sequestration Reports for each of fiscal year
17 2011 through 2015 shall set forth estimates for each
18 of the following:

19 (A) The applicable discretionary spending
20 limits.

21 (B) The new budget authority and the
22 breach, if any.

23 (C) The sequestration percentages nec-
24 essary to eliminate the breach.

1 (D) For the budget year, for each account
2 to be sequestered, the level of enacted,
3 sequesterable budget authority and resulting es-
4 timated outlays to be sequestered.

5 (3) EXPLANATION OF DIFFERENCES.—The
6 OMB report shall explain any differences between
7 OMB and CBO estimates for any breach and any
8 required discretionary sequestration percentages.
9 The OMB report shall also explain differences in the
10 amount of sequesterable resources for any budget
11 account to be reduced if such difference is greater
12 than \$5,000,000.

13 (b) ECONOMIC AND TECHNICAL ASSUMPTIONS.—In
14 all reports required by this section, OMB shall use the
15 same economic and technical assumptions as used in the
16 most recent budget submitted by the President under sec-
17 tion 1105(a) of title 31, United States Code.

18 (c) ADJUSTMENTS.—When OMB submits a report
19 under this section for a fiscal year, OMB shall calculate,
20 and the subsequent reports and budgets submitted by the
21 President under section 1105(a) of title 31, United States
22 Code shall include, adjustments to discretionary spending
23 limits (and those limits as adjusted) for the fiscal year
24 and each succeeding year.

1 **SEC. 6. LIMITS.**

2 (a) DISCRETIONARY SPENDING LIMITS.—As used in
3 this Act, the term “discretionary spending limit” means—

4 (1) with respect to fiscal year 2011,
5 \$1,120,488,000 in new budget authority;

6 (2) with respect to fiscal year 2012,
7 \$1,008,439,000 in new budget authority;

8 (3) with respect to fiscal year 2013,
9 \$907,596,000 in new budget authority;

10 (4) with respect to fiscal year 2014,
11 \$816,836,000 in new budget authority;

12 (5) with respect to fiscal year 2015,
13 \$735,152,000 in new budget authority; and

14 (6) with respect to fiscal years following 2015,
15 the President shall recommend and the Congress
16 shall consider legislation setting limits for those fis-
17 cal years.

18 (b) ENFORCEMENT.—

19 (1) SEQUESTRATION.—On the date specified in
20 section 3(a), there shall be a sequestration to elimi-
21 nate a budget-year breach.

22 (2) ELIMINATING A BREACH.—Each account
23 shall be reduced by a dollar amount calculated by
24 multiplying the enacted level of budget authority for
25 that year in that account at that time by the uni-

1 form percentage necessary to eliminate a breach of
2 the discretionary spending limit.

3 (3) PART-YEAR APPROPRIATIONS.—If, on the
4 date the report is issued under paragraph (1), there
5 is in effect an Act making continuing appropriations
6 for part of a fiscal year for any budget account, then
7 the dollar sequestration calculated for that account
8 under paragraph (2) shall be subtracted from—

9 (A) the annualized amount otherwise avail-
10 able by law in that account under that or a sub-
11 sequent part-year appropriation; and

12 (B) when a full-year appropriation for that
13 account is enacted, from the amount otherwise
14 provided by the full-year appropriation.

15 (4) LOOK-BACK.—If, after June 30, an appro-
16 priation for the fiscal year in progress is enacted
17 that causes a breach for that year (after taking into
18 account any previous sequestration), the discre-
19 tionary spending limit for the next fiscal year shall
20 be reduced by the amount of that breach.

21 (5) WITHIN-SESSION SEQUESTRATION REPORTS
22 AND ORDER.—If an appropriation for a fiscal year
23 in progress is enacted (after Congress adjourns to
24 end the session for that budget year and before July
25 1 of that fiscal year) that causes a breach, 10 days

1 later CBO shall issue a report containing the infor-
2 mation required in section 5(c). Fifteen days after
3 enactment, OMB shall issue a report containing the
4 information required in section 5(c). On the same
5 day as the OMB report, the President shall issue an
6 order fully implementing without change all seques-
7 trations required by the OMB calculations set forth
8 in that report. This order shall be effective on
9 issuance.

10 (c) ESTIMATES.—

11 (1) CBO ESTIMATES.—As soon as practicable
12 after Congress completes action on any legislation
13 providing discretionary appropriations, CBO shall
14 provide an estimate to OMB of that legislation.

15 (2) OMB ESTIMATES.—Not later than 7 cal-
16 endar days (excluding Saturdays, Sundays, and legal
17 holidays) after the date of enactment of any discre-
18 tionary appropriations, OMB shall transmit a report
19 to the House of Representatives and to the Senate
20 containing—

21 (A) the CBO estimate of that legislation;

22 (B) an OMB estimate of that legislation
23 using current economic and technical assump-
24 tions; and

1 (C) an explanation of any difference be-
2 tween the 2 estimates.

3 (3) DIFFERENCES.—If during the preparation
4 of the report under paragraph (2), OMB determines
5 that there is a difference between the OMB and
6 CBO estimates, OMB shall consult with the Com-
7 mittees on the Budget of the House of Representa-
8 tives and the Senate regarding that difference and
9 that consultation, to the extent practicable, shall in-
10 clude written communication to such committees
11 that affords such committees the opportunity to
12 comment before the issuance of that report.

13 (4) ASSUMPTIONS AND GUIDELINES.—OMB
14 and CBO shall prepare estimates under this para-
15 graph in conformance with scorekeeping guidelines
16 determined after consultation among the House and
17 Senate Committees on the Budget, CBO, and OMB.

18 (5) DEFERRALS AND RESCISSIONS.—Deferrals
19 and rescissions proposed under the Impoundment
20 Control Act of 1974 for the budget year shall not be
21 taken into account in determining such budget base.

22 **SEC. 7. EXEMPTIONS FROM SEQUESTRATION.**

23 (a) IN GENERAL.—Except as provided in subsection
24 (b), all discretionary budget authority shall be subject to
25 the sequestration procedures under this Act.

1 (b) EXEMPTIONS.—

2 (1) The following shall be exempt from reduc-
3 tion under any order issued under this Act:

4 (A) Benefits and compensation provided to
5 active duty military and to veterans defined as
6 discretionary spending.

7 (B) Provisions of discretionary spending
8 legislation the President designates as an emer-
9 gency requirement and the Congress so des-
10 ignates in statute.

11 (C) Any salaries or other expenditures that
12 may not be reduced on account of constitutional
13 requirements.

14 (2) IN BUDGET.—The exemptions provided in
15 paragraph (1) shall be the only exemptions to se-
16 questration procedures under this Act, unless other-
17 wise provided by law.

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